

## Calendar No. 949

106TH CONGRESS  
2D SESSION**S. 3031****[Report No. 106-501]**

To make certain technical corrections in laws relating to Native Americans,  
and for other purposes.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2000

Mr. CAMPBELL introduced the following bill; which was read twice and  
referred to the Committee on Indian Affairs

OCTOBER 11 (legislative day, SEPTEMBER 22), 2000

Reported by Mr. CAMPBELL, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To make certain technical corrections in laws relating to  
Native Americans, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TECHNICAL CORRECTION TO AN ACT AFFECT-**  
 2 **ING THE STATUS OF MISSISSIPPI CHOCTAW**  
 3 **LANDS AND ADDING SUCH LANDS TO THE**  
 4 **CHOCTAW RESERVATION.**

5 Section 1(a)(2) of Public Law 106–228 (an Act to  
 6 make technical corrections to the status of certain land  
 7 held in trust for the Mississippi Band of Choctaw Indians,  
 8 to take certain land into trust for that Band, and for other  
 9 purposes) is amended by striking “September 28, 1999”  
 10 and inserting “February 7, 2000”.

11 **SEC. 2. TECHNICAL CORRECTIONS CONCERNING THE FIVE**  
 12 **CIVILIZED TRIBES OF OKLAHOMA.**

13 (a) INDIAN SELF-DETERMINATION ACT.—Section  
 14 1(b)(15)(A) of the model agreement set forth in section  
 15 108(e) of the Indian Self-Determination Act (25 U.S.C.  
 16 4501(e)) is amended—

17 (1) by striking “and section 16” and inserting  
 18 “, section 16”; and

19 (2) by striking “shall not” and inserting “and  
 20 the Act of July 3, 1952 (25 U.S.C. 82a), shall not”.

21 (b) INDIAN SELF-DETERMINATION AND EDUCATION  
 22 ASSISTANCE ACT.—Section 403(h)(2) of the Indian Self-  
 23 Determination and Education Assistance Act (25 U.S.C.  
 24 458cc(h)(2)) is amended—

25 (1) by striking “and section” and inserting  
 26 “section”; and

1           (2) by striking “shall not” and inserting “and  
2           the Act of July 3, 1952 (25 U.S.C. 82a), shall not”.

3           (c) ~~REPEALS.~~—The following provisions of law are  
4           repealed:

5           (1) Section 2106 of the Revised Statutes (25  
6           U.S.C. 84).

7           (2) Sections 438 and 439 of title 18, United  
8           States Code.

9   **SEC. 3. WAIVER OF REPAYMENT OF EXPERT ASSISTANCE**  
10                   **LOANS TO THE RED LAKE BAND OF CHIP-**  
11                   **PEWA INDIANS AND THE MINNESOTA CHIP-**  
12                   **PEWA TRIBES.**

13           (a) ~~RED LAKE BAND OF CHIPPEWA INDIANS.~~—Not-  
14           withstanding any other provision of law, the balances of  
15           all expert assistance loans made to the Red Lake Band  
16           of Chippewa Indians under the authority of Public Law  
17           88–168 (77 Stat. 301), and relating to Red Lake Band  
18           v. United States (United States Court of Federal Claims  
19           Docket Nos. 189 A, B, C), are canceled and the Secretary  
20           of the Interior shall take such action as may be necessary  
21           to document such cancellation and to release the Red Lake  
22           Band of Chippewa Indians from any liability associated  
23           with such loans.

24           (b) ~~MINNESOTA CHIPPEWA TRIBE.~~—Notwith-  
25           standing any other provision of law, the balances of all

1 expert assistance loans made to the Minnesota Chippewa  
 2 Tribe under the authority of Public Law 88–168 (77 Stat.  
 3 301), and relating to Minnesota Chippewa Tribe v. United  
 4 States (United States Court of Federal Claims Docket  
 5 Nos. 19 and 188), are canceled and the Secretary of the  
 6 Interior shall take such action as may be necessary to doc-  
 7 ument such cancellation and to release the Minnesota  
 8 Chippewa Tribe from any liability associated with such  
 9 loans.

10 **SEC. 4. TECHNICAL AMENDMENT TO THE INDIAN CHILD**  
 11 **PROTECTION AND FAMILY VIOLENCE PRO-**  
 12 **TECTION ACT.**

13 Section 408(b) of the Indian Child Protection and  
 14 Family Violence Prevention Act (25 U.S.C. 3207(b)) is  
 15 amended—

16 (1) by striking “any offense” and inserting  
 17 “any felonious offense, or any of 2 or more mis-  
 18 demeanor offenses,”; and

19 (2) by striking “or crimes against persons” and  
 20 inserting “crimes against persons; or offenses com-  
 21 mitted against children”.

1 **SEC. 5. TECHNICAL AMENDMENT REGARDING THE TREAT-**  
 2 **MENT OF CERTAIN INCOME FOR PURPOSES**  
 3 **OF FEDERAL ASSISTANCE.**

4 Notwithstanding any other provision of law, none of  
 5 the funds paid by the State of Minnesota to the Bois Forte  
 6 Band of Chippewa Indians and the Grand Portage Band  
 7 of Chippewa Indians pursuant to the agreement of such  
 8 Bands' to voluntarily restrict tribal rights to hunt and fish  
 9 in territory ceded under the Treaty of September 30, 1854  
 10 (10 Stat. 1109), including all interest accrued on such  
 11 funds during any period in which such funds are held in  
 12 a minor's trust, shall be considered as income or re-  
 13 sources, or otherwise be used as the basis for denying or  
 14 reducing the financial assistance or other benefits to which  
 15 a household or member of such Bands would be entitled  
 16 to under the Social Security Act (42 U.S.C. 301 et seq.),  
 17 the Personal Responsibility and Work Opportunity Rec-  
 18 onciliation Act of 1966 (Public Law 104-193, 110 Stat.  
 19 2105) and the amendments made by such Act, or any Fed-  
 20 eral or Federally assisted program.

21 **SEC. 6. TECHNICAL AMENDMENT TO EXTEND THE AUTHOR-**  
 22 **IZATION PERIOD UNDER THE INDIAN**  
 23 **HEALTH CARE IMPROVEMENT ACT.**

24 The authorization of appropriations for, and the du-  
 25 ration of, each program or activity under the Indian

1 Health Care Improvement Act (25 U.S.C. 1601 et seq.)  
 2 is extended through fiscal year 2001.

3 **SEC. 7. TECHNICAL AMENDMENT TO EXTEND THE AUTHOR-**  
 4 **IZATION PERIOD UNDER THE INDIAN ALCO-**  
 5 **HOL AND SUBSTANCE ABUSE PREVENTION**  
 6 **AND TREATMENT ACT OF 1986.**

7 The authorization of appropriations for, and the du-  
 8 ration of, each program or activity under the Indian Alco-  
 9 hol and Substance Abuse Prevention and Treatment Act  
 10 of 1986 (25 U.S.C. 2401 et seq.) is extended through fis-  
 11 cal year 2001.

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “Native American Laws*  
 14 *Technical Corrections Act of 2000”.*

15 **TITLE I—MISCELLANEOUS**  
 16 **TECHNICAL PROVISIONS**

17 **SEC. 101. TECHNICAL CORRECTION TO AN ACT AFFECTING**  
 18 **THE STATUS OF MISSISSIPPI CHOCTAW**  
 19 **LANDS AND ADDING SUCH LANDS TO THE**  
 20 **CHOCTAW RESERVATION.**

21 *Section 1(a)(2) of Public Law 106–228 (an Act to*  
 22 *make technical corrections to the status of certain land held*  
 23 *in trust for the Mississippi Band of Choctaw Indians, to*  
 24 *take certain land into trust for that Band, and for other*

1 purposes) is amended by striking “September 28, 1999”  
 2 and inserting “February 7, 2000”.

3 **SEC. 102. TECHNICAL CORRECTIONS CONCERNING THE**  
 4 **FIVE CIVILIZED TRIBES OF OKLAHOMA.**

5 (a) INDIAN SELF-DETERMINATION ACT.—Section  
 6 1(b)(15)(A) of the model agreement set forth in section  
 7 108(c) of the Indian Self-Determination Act (25 U.S.C.  
 8 450l(c)) is amended—

9 (1) by striking “and section 16” and inserting “,  
 10 section 16”; and

11 (2) by striking “shall not” and inserting “and  
 12 the Act of July 3, 1952 (25 U.S.C. 82a), shall not”.

13 (b) INDIAN SELF-DETERMINATION AND EDUCATION  
 14 ASSISTANCE ACT.—Section 403(h)(2) of the Indian Self-  
 15 Determination and Education Assistance Act (25 U.S.C.  
 16 458cc(h)(2)) is amended—

17 (1) by striking “and section” and inserting “sec-  
 18 tion”; and

19 (2) by striking “shall not” and inserting “and  
 20 the Act of July 3, 1952 (25 U.S.C. 82a), shall not”.

21 (c) REPEALS.—The following provisions of law are re-  
 22 pealed:

23 (1) Section 2106 of the Revised Statutes (25  
 24 U.S.C. 84).

1           (2) *Sections 438 and 439 of title 18, United*  
 2       *States Code.*

3   **SEC. 103. WAIVER OF REPAYMENT OF EXPERT ASSISTANCE**  
 4                   **LOANS TO THE RED LAKE BAND OF CHIP-**  
 5                   **PEWA INDIANS AND THE MINNESOTA CHIP-**  
 6                   **PEWA TRIBES.**

7       (a) *RED LAKE BAND OF CHIPPEWA INDIANS.*—Not-  
 8       withstanding any other provision of law, the balances of  
 9       all expert assistance loans made to the Red Lake Band of  
 10      Chippewa Indians under the authority of Public Law 88–  
 11      168 (77 Stat. 301), and relating to Red Lake Band v.  
 12      United States (United States Court of Federal Claims  
 13      Docket Nos. 189 A, B, C), are canceled and the Secretary  
 14      of the Interior shall take such action as may be necessary  
 15      to document such cancellation and to release the Red Lake  
 16      Band of Chippewa Indians from any liability associated  
 17      with such loans.

18      (b) *MINNESOTA CHIPPEWA TRIBE.*—Notwithstanding  
 19      any other provision of law, the balances of all expert assist-  
 20      ance loans made to the Minnesota Chippewa Tribe under  
 21      the authority of Public Law 88–168 (77 Stat. 301), and  
 22      relating to Minnesota Chippewa Tribe v. United States  
 23      (United States Court of Federal Claims Docket Nos. 19 and  
 24      188), are canceled and the Secretary of the Interior shall  
 25      take such action as may be necessary to document such can-



1 *cellation and to release the Minnesota Chippewa Tribe from*  
 2 *any liability associated with such loans.*

3 **SEC. 104. TECHNICAL AMENDMENT TO THE INDIAN CHILD**  
 4 **PROTECTION AND FAMILY VIOLENCE PRO-**  
 5 **TECTION ACT.**

6 *Section 408(b) of the Indian Child Protection and*  
 7 *Family Violence Prevention Act (25 U.S.C. 3207(b)) is*  
 8 *amended—*

9 *(1) by striking “any offense” and inserting “any*  
 10 *felonious offense, or any of 2 or more misdemeanor of-*  
 11 *fenses,”; and*

12 *(2) by striking “or crimes against persons” and*  
 13 *inserting “crimes against persons; or offenses com-*  
 14 *mitted against children”.*

15 **SEC. 105. TECHNICAL AMENDMENT TO EXTEND THE AU-**  
 16 **THORIZATION PERIOD UNDER THE INDIAN**  
 17 **HEALTH CARE IMPROVEMENT ACT.**

18 *The authorization of appropriations for, and the dura-*  
 19 *tion of, each program or activity under the Indian Health*  
 20 *Care Improvement Act (25 U.S.C. 1601 et seq.) is extended*  
 21 *through fiscal year 2001.*

1 **SEC. 106. TECHNICAL AMENDMENT TO EXTEND THE AU-**  
 2 **THORIZATION PERIOD UNDER THE INDIAN**  
 3 **ALCOHOL AND SUBSTANCE ABUSE PREVEN-**  
 4 **TION AND TREATMENT ACT OF 1986.**

5 *The authorization of appropriations for, and the dura-*  
 6 *tion of, each program or activity under the Indian Alcohol*  
 7 *and Substance Abuse Prevention and Treatment Act of*  
 8 *1986 (25 U.S.C. 2401 et seq.) is extended through fiscal year*  
 9 *2001.*

10 **SEC. 107. MORRIS K. UDALL SCHOLARSHIP AND EXCEL-**  
 11 **LENCE IN NATIONAL ENVIRONMENTAL POL-**  
 12 **ICY FOUNDATION.**

13 *(a) AUTHORITY.—Section 6(7) of the Morris K. Udall*  
 14 *Scholarship and Excellence in National Environmental and*  
 15 *Native American Public Policy Act of 1992 (20 U.S.C.*  
 16 *5604(7)) is amended by inserting before the semicolon at*  
 17 *the end the following: “, by conducting management and*  
 18 *leadership training of Native Americans, Alaska Natives,*  
 19 *and others involved in tribal leadership, providing assist-*  
 20 *ance and resources for policy analysis, and carrying out*  
 21 *other appropriate activities.”.*

22 *(b) ADMINISTRATIVE PROVISIONS.—Section 12(b) of*  
 23 *the Morris K. Udall Scholarship and Excellence in National*  
 24 *Environmental and Native American Public Policy Act of*  
 25 *1992 (20 U.S.C. 5608(b)) is amended by inserting before*

1 *the period at the end the following: “and to the activities*  
 2 *of the Foundation under section 6(7)”.*

3 *(c) AUTHORIZATION OF APPROPRIATIONS.—Section 13*  
 4 *of the Morris K. Udall Scholarship and Excellence in Na-*  
 5 *tional Environmental and Native American Public Policy*  
 6 *Act of 1992 (20 U.S.C. 5609) is amended by adding at the*  
 7 *end the following:*

8 *“(c) TRAINING OF PROFESSIONALS IN HEALTH CARE*  
 9 *AND PUBLIC POLICY.—There is authorized to be appro-*  
 10 *priated to carry out section 6(7) \$12,300,000 for the 5-year*  
 11 *period beginning with the first fiscal year that begins after*  
 12 *the date of enactment of this subsection.”.*

13 **SEC. 108. TECHNICAL AMENDMENT REGARDING THE**  
 14 **TREATMENT OF CERTAIN INCOME FOR PUR-**  
 15 **POSES OF FEDERAL ASSISTANCE.**

16 *Section 7 of the Act of October 19, 1973 (25 U.S.C.*  
 17 *1407) is amended—*

18 *(1) in paragraph (2), by striking “or” at the*  
 19 *end;*

20 *(2) in paragraph (3), by adding “or” at the end;*  
 21 *and*

22 *(3) by inserting after paragraph (3), the fol-*  
 23 *lowing:*

24 *“(4) are paid by the State of Minnesota to the*  
 25 *Bois Forte Band of Chippewa Indians pursuant to*

1     *the agreements of such Band to voluntarily restrict*  
 2     *tribal rights to hunt and fish in territory cede under*  
 3     *the Treaty of September 30, 1854 (10 Stat. 1109),*  
 4     *including all interest accrued on such funds during*  
 5     *any period in which such funds are held in a minor's*  
 6     *trust,".*

7     ***TITLE II—SANTA FE INDIAN***  
 8     ***SCHOOL***

9     ***SEC. 201. SHORT TITLE.***

10     *This title may be cited as the "Santa Fe Indian School*  
 11     *Act".*

12     ***SEC. 202. DEFINITIONS.***

13     *In this title:*

14             (1) 19 PUEBLOS.—*The term "19 Pueblos" means*  
 15     *the Indian pueblos of Acoma, Cochiti Isleta, Jemen,*  
 16     *Laguna, Nambe, Picuris, Pojoaque, San Felipe, San*  
 17     *Ildefonso, San Juan, Sandia, Santa Ana, Santa*  
 18     *Clara, Santo Domingo, Taos, Tesuque, Zia, and*  
 19     *Zuni.*

20             (2) SANTA FE INDIAN SCHOOL, INC.—*The term*  
 21     *"Santa Fe Indian School, Inc." means a corporation*  
 22     *chartered under laws of the State of New Mexico.*

23             (3) SECRETARY.—*The term "Secretary" means*  
 24     *the Secretary of the Interior.*

1 **SEC. 203. TRANSFER OF CERTAIN LANDS FOR USE AS THE**  
 2 **SANTA FE INDIAN SCHOOL.**

3 (a) *IN GENERAL.*—All right, title, and interest of the  
 4 United States in and to the land, including improvements  
 5 and appurtenances thereto, described in subsection (b) are  
 6 declared to be held in trust for the benefit of the 19 Pueblos  
 7 of New Mexico.

8 (b) *LAND.*—

9 (1) *IN GENERAL.*—The land described in this  
 10 subsection is the tract of land, located in the City and  
 11 County of Santa Fe, New Mexico, upon which the  
 12 Santa Fe Indian School is located and more particu-  
 13 larly described as all that certain real property, ex-  
 14 cluding the tracts described in paragraph (2), as  
 15 shown in the United States General Land Office Plat  
 16 of the United States Indian School Tract dated March  
 17 19, 1937, and recorded at Book 363, Page 024, Office  
 18 of the Clerk, Santa Fe County, New Mexico, con-  
 19 taining a total acreage of 131.43 acres, more or less.

20 (2) *EXCLUSIONS.*—The excluded tracts described  
 21 in this paragraph are all portions of any tracts here-  
 22 tofore conveyed by the deeds recorded in the Office of  
 23 the Clerk, Santa Fe County, New Mexico, at—

24 (A) Book 114, Page 106, containing 0.518  
 25 acres, more or less;

1                   (B) Book 122, Page 45, containing 0.238  
2                   acres, more or less;

3                   (C) Book 123, Page 228, containing 14.95,  
4                   more or less; and

5                   (D) Book 130, Page 84, containing 0.227  
6                   acres, more or less;

7                   leaving, as the net acreage to be included in the land  
8                   described in paragraph (1) and taken into trust pur-  
9                   suant to subsection (a), a tract containing 115.5  
10                  acres, more or less.

11               (c) *LIMITATIONS AND CONDITIONS.*—The land taken  
12               into trust pursuant to subsection (a) shall remain subject  
13               to—

14                   (1) any existing encumbrances, rights of way, re-  
15                   strictions, or easements of record;

16                   (2) the right of the Indian Health Service to con-  
17                   tinue use and occupancy of 10.23 acres of such land  
18                   which are currently occupied by the Santa Fe Indian  
19                   Hospital and its parking facilities as more fully de-  
20                   scribed as Parcel “A” in legal description No. Pd-K-  
21                   51-06-01 and recorded as Document No. 059-3-778,  
22                   Bureau of Indian Affairs Land Title & Records Of-  
23                   fice, Albuquerque, New Mexico; and

24                   (3) the right of the United States to use, without  
25                   cost, additional portions of land transferred pursuant

1       to this section, which are contiguous to the land de-  
 2       scribed in paragraph (2), for purposes of the Indian  
 3       Health Service.

4   **SEC. 204. LAND USE.**

5       (a) *LIMITATION FOR EDUCATIONAL AND CULTURAL*  
 6   *PURPOSES.*—The land taken into trust under section  
 7   203(a) shall be used solely for the educational, health, or  
 8   cultural purposes of the Santa Fe Indian School, including  
 9   use for related non-profit or technical programs, as operated  
 10   by Santa Fe Indian School, Inc. on the date of enactment  
 11   of this Act.

12       (b) *REVERSION.*—

13           (1) *IN GENERAL.*—If the Secretary determines  
 14       that the land taken into trust under section 203(a) is  
 15       not being used as required under subsection (a), the  
 16       Secretary shall provide appropriate notice to the 19  
 17       Pueblos of such noncompliance and require the 19  
 18       Pueblos to comply with the requirements of this title.

19           (2) *CONTINUED FAILURE TO COMPLY.*—If the  
 20       Secretary, after providing notice under paragraph (1)  
 21       and after the expiration of a reasonable period of  
 22       time, determines that the noncompliance that was the  
 23       subject of the notice has not been corrected, the land  
 24       shall revert to the United States.

1       (c) *APPLICABILITY OF LAWS.*—*Except as otherwise*  
2 *provided in this title, the land taken into trust under sec-*  
3 *tion 203(a) shall be subject to the laws of the United States*  
4 *relating to Indian lands.*

5       (d) *GAMING.*—*Gaming, as defined and regulated by*  
6 *the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.),*  
7 *shall be prohibited on the land taken into trust under sub-*  
8 *section (a).*





**Calendar No. 949**

106TH CONGRESS  
2D SESSION

**S. 3031**

**[Report No. 106-501]**

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**A BILL**

To make certain technical corrections in laws relating to Native Americans, and for other purposes.

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OCTOBER 12 (legislative day, SEPTEMBER 22), 2000

Reported with an amendment